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SENATE BILL 41 By  
Ford J

HOUSE BILL 518  
By Bowers

AN ACT to amend Tennessee Code Annotated, Section 68-5-602,  
relative to mandatory prenatal testing for hepatitis B  
infection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-5-602, is amended by deleting the  
present section and substituting the following:

(a) Every physician, surgeon, or other person permitted by law to attend a  
pregnant woman during gestation shall, in the case of each woman so attended, take or  
cause to be taken a sample of the blood of such woman at the time of first examination  
and visit or within ten (10) days thereafter. If the first visit is at the time of delivery, or  
after delivery, the standard serological test required by this subsection shall be  
performed at that time. Such blood shall be sent to a laboratory approved by the  
department for testing for syphilis infection, rubella immunity, and hepatitis B surface  
antigen (HBsAg). Additional testing for rubella immunity is not required in subsequent  
pregnancies once a "positive" result is verified or a documented history of vaccination  
against rubella is available. However, all pregnant women shall be tested for syphilis  
and hepatitis B during an early prenatal visit in each pregnancy. Positive test for syphilis  
and hepatitis B shall be reported to the local health department in accordance with the  
provisions of Tennessee Code Annotated, Title 68, Chapter 5, and regulations governing  
the control of communicable diseases in Tennessee.

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(b) Every person attending a pregnant woman who is not permitted by law to take blood samples shall cause a sample of blood to be taken by a health provider permitted by law to take such samples at the time of first examination and visit or within ten (10) days thereafter. These samples shall be submitted to the same approved laboratories for testing for syphilis infection and hepatitis B surface antigen (HBsAg). If no rubella immunity is documented, testing for rubella is required.

(c) Infants born to HBsAg-positive mothers shall receive the appropriate dosage of hepatitis B immune globulin (HBIG) and the hepatitis B vaccine within twelve (12) hours of birth, if stable, and complete the vaccine series according to the schedule approved by the department.

(d) The provisions of this part shall not apply to any female who files with the attending medical authority a signed, written statement that taking such sample of blood or receiving other preventive measures conflict with such female's religious tenets and practices affirmed under the penalties of perjury.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.